

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

BRENDA MATLOCK,

Plaintiff,

v.

TRIGO EXPRESS LLC., a California
Limited Liability Company, TAN
TRAN, individually, and d/b/a TRIGO
EXPRESS LLC., ABC
CORPORATION,

Defendants.

Civil Action File No. _____

DEFENDANTS' NOTICE OF REMOVAL

COME NOW Defendants Trigo Express, LLC and Tan Tran, named defendants in the above-styled action, and file this Notice of Removal, respectfully showing this Court the following facts:

1.

Plaintiff Brenda Matlock ("Plaintiff") filed suit against the above named defendants in the State Court of DeKalb County, State of Georgia. This suit is styled as above and numbered Civil Action File No. 22A01591. (*See generally* Plaintiff's Complaint).

2.

This Notice of Removal is filed within 30 days of Defendant Tan Tran's notice of the Complaint pursuant to the requirements of 28 U.S.C. § 1446(b)(1). Defendant Trigo Express, LLC joins in this removal pursuant to 28 U.S.C. § 1446(b)(2)(C).

3.

Upon information and belief, Plaintiff is currently, and was at the time suit was filed in this case, a resident and citizen of the State of Georgia.

4.

Defendant Trigo Express, LLC is a foreign corporation existing under the laws of the State of California with its principal place of business in California. Defendant Trigo Express, LLC is therefore a citizen of California. (Plaintiff's Complaint ¶ 28).

5.

Defendant Tan Tran is a resident of California. (Plaintiff's Complaint ¶ 6).

6.

Thus, complete diversity exists between Plaintiff and every named defendant. 28 U.S.C. § 1332(a)(1); *Lincoln Prop. Co. v. Roche*, 546 U.S. 81, 89 (2005).

7.

Upon information and belief, the amount in controversy exceeds \$75,000. (Plaintiff's Complaint ¶ 46).

8.

Therefore, as shown above, the aforementioned civil action is a civil action of which this Court has original jurisdiction under the provisions of Title 28 of the United States Code § 1332 and, accordingly, is one which may be removed to this Court by Defendants pursuant to the provisions of Title 28 of the United States Code §1441, in that it is a civil action in which the matter in controversy exceeds the sum of \$75,000.00 and is between citizens of different states.

9.

Defendants have attached hereto a copy of the process, pleadings and/or order served upon them in this case, such copy being marked Exhibit "A." In addition, Defendants hereby attach their Answers and Jury Demand as Exhibit "B."

WHEREFORE, Defendants pray that the case be removed to the United States District Court for the Northern District of Georgia, Atlanta Division.

This 6th day of June, 2022.

Respectfully submitted,

COPELAND, STAIR, VALZ & LOVELL, LLP

/s/ Jessica F. Hubbartt

By: _____

JESSICA F. HUBBARTT, ESQ.

State Bar No.: 932295

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Tan Tran*

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within and foregoing **Defendants' Notice of Removal** upon all parties to this matter by filing same with the Clerk of Court using the CM/ECF (Pacer) system and via e-mail to counsel of record and parties as follows:

Michael J. Ivan
Ivan Law Firm, PC
P.O. Box 682765
Marietta, GA 30068
mivanlaw@yahoo.com
Attorneys for Plaintiff

This 6th day of June, 2022.

/s/ Jessica F. Hubbartt

By: _____

JESSICA F. HUBBARTT, ESQ.

State Bar No.: 932295

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